

103^D CONGRESS
2^D SESSION

S. 1422

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 1994

Referred to the Committee on the Judiciary

AN ACT

To confer jurisdiction on the United States Court of Federal Claims with respect to land claims of Pueblo of Isleta Indian Tribe.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. JURISDICTION.**

2 Notwithstanding sections 2401 and 2501 of title 28,
3 United States Code, and section 12 of the Act of August
4 13, 1946 (60 Stat. 1052), or any other law which would
5 interpose or support a defense of untimeliness, jurisdiction
6 is hereby conferred upon the United States Court of Fed-
7 eral Claims to hear, determine, and render judgment on
8 any claim by Pueblo of Isleta Indian Tribe of New Mexico
9 against the United States with respect to any lands or in-
10 terests therein the State of New Mexico or any adjoining
11 State held by aboriginal title or otherwise which were ac-
12 quired from the tribe without payment of adequate com-
13 pensation by the United States. As a matter of adequate
14 compensation, the United States Court of Federal Claims
15 may award interest at a rate of 5 percent per year to ac-
16 crue from the date on which such lands or interests there-
17 in were acquired from the tribe by the United States. Such
18 jurisdiction is conferred only with respect to claims accru-
19 ing on or before August 13, 1946, and all such claims
20 must be filed within three years after the date of enact-
21 ment of this Act. Such jurisdiction is conferred notwith-
22 standing any failure of the tribe to exhaust any available
23 administrative remedy.

24 **SEC. 2. CERTAIN DEFENSES NOT APPLICABLE.**

25 Any award made to any Indian tribe other than the
26 Pueblo of Isleta Indian Tribe of New Mexico before, on,

1 or after the date of the enactment of this Act, under any
2 judgment of the Indian Claims Commission or any other
3 authority, with respect to any lands that are the subject
4 of a claim submitted by the tribe under section 1 shall
5 not be considered a defense, estoppel, or set-off to such
6 claim, and shall not otherwise affect the entitlement to,
7 or amount of, any relief with respect to such claim.

Passed the Senate September 30 (legislative day,
September 12), 1994.

Attest:

MARTHA S. POPE,
Secretary.